

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

RICHARD CLARK,	:	Case No. C-1-01-846
	:	
Plaintiff,	:	Judge Spiegel
	:	
vs.	:	
	:	PLAINTIFF'S MOTION FOR
HAMILTON COUNTY, et al.,	:	EXTENSION OF TIME TO FILE
	:	MEMORANDUM IN OPPOSITION
Defendants.	:	TO DEFENDANTS' MOTION FOR
	:	<u>SUMMARY JUDGMENT</u>

MOTION

Comes now the Plaintiff, by and through counsel, and pursuant to Local Rule 7.3 of the Local Rules of the United States District Court for the Southern District of Ohio, respectfully moves this Court for four (4) day extension until September 19, 2003 to file a memorandum in opposition to the motion for summary judgment filed by defendants Correctional Medical Services and Helen Kahn (Doc 15). Counsel for those defendants has been contacted and has indicated that he has no objection to the requested extension. The grounds for this motion are more fully set forth in the following memorandum in support.

Memorandum in Support

Plaintiff's response to the defendants' motion for summary judgment is currently due on September 15, 2003. Despite the exercise of due diligence, the plaintiff will be unable to meet that deadline and requests an extension until September 19, 2003. This extension is not for the purpose of delay and is required to permit counsel to adequately prepare their memorandum in opposition to the defendants' motion. As noted above, the defendants who filed the motion do not object to this extension. This extension should have no impact upon the pending trial date.

For good cause shown the plaintiff respectfully requests that the Court grant plaintiff until September 19, 2003 by which to file their memorandum in opposition to defendants' motion for summary judgment. (Doc. 15).

Respectfully submitted,

s/ Alphonse A. Gerhardstein
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CERTIFICATE OF SERVICE

I here by certify that on September 15, 2003, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Alphonse A. Gerhardstein